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<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/756,561	OKADA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	M. R. Sedighian	2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/13/04 and 6/6/06.
2. ☒ The allowed claim(s) is/are 1-3.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>8/1/05</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                             | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

  
**M. R. SEDIGHIAN**  
 PRIMARY EXAMINER

Art Unit: 2613

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Dana Tangren on 6/6/06.

In The Specification

2. a) The reference numeral "76ac" in line 4 of paragraph 00180, in page 52, has been changed to ---76a---.
- b) The reference numeral "76ac" in line 1 of paragraph 00181, in page 52, has been changed to ---76a---.
- c) The reference numeral "76ac" in line 3 of paragraph 00181, in page 52, has been changed to ---76a---.
- d) The reference numeral "76ac" in line 4 of paragraph 00181, in page 52, has been changed to ---76a---.
- e) The reference numeral "76ac" in line 1 of paragraph 00182, in page 52, has been changed to ---76a---.
- f) The reference numeral "77" in line 1 of paragraph 00182, in page 52, has been changed to ---77a---.
- g) The reference numeral "76ac" in line 2 of paragraph 00182, in page 52, has been changed to ---76a---.

h) The reference numeral “76ac” in line 1 of paragraph 00183, in page 52, has been changed to ---76a---.

i) The reference numeral “76ac” in line 5 of paragraph 00183, in page 52, has been changed to ---76a---.

j) The first occurrence of reference numeral “76ac” in line 7 of paragraph 00183, in page 52, has been changed to ---76a---.

k) The second occurrence of reference numeral “76ac” in line 7 of paragraph 00183, in page 52, has been changed to ---76a---.

l) The reference numeral “76ac” in line 8 of paragraph 00183, in page 53, has been changed to ---76a---.

m) The reference numeral “76ac” in line 11 of paragraph 00183, in page 53, has been changed to ---76a---.

n) The reference numeral “76ac” in line 1 of paragraph 00184, in page 53, has been changed to ---76a---.

o) The reference numeral “76ac” in line 3 of paragraph 00184, in page 53, has been changed to ---76a---.

p) The reference numeral “76ac” in line 2 of paragraph 00186, in page 53, has been changed to ---76a---.

q) The reference numeral “76ac” in line 5 of paragraph 00186, in page 53, has been changed to ---76a---.

r) The reference numeral “76ac” in line 6 of paragraph 00186, in page 53, has been changed to ---76a---.

3. The following is an examiner's statement of reasons for allowance:

As to claims 1-3, the prior art of Barnsley (US Patent No: 5,488,501), Suzuki et al. (US Patent No: 5,341,234), and Fatehi et al. (US Patent No: 6,512,612) do not fairly teach or suggest an optical communication equipment comprising of a plurality of communication nodes having an optical signal transmitter and an optical label signal transmitter for transmitting optical label signals carrying control information concerning the routing of the optical signals, a router having a wavelength demultiplexer for separating the optical signals from the label signals, an optical splitter for branching the optical signals separated by the demultiplexer to a plurality of optical paths of the same length, and a plurality of gates for routing by passing or intercepting the optical signal according to the information carried by the optical label signal, and wherein the communication nodes further comprises of a diagnosing means and an adjusting means for adjusting a transmission time lag between the optical signal and the optical label signal according to the result of the diagnosis means, in combination of other limitations recited in claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Barnsley (US Patent No: 5,488,501) is cited to teach an optical communication system for transmitting an optical data signal and an optical header signal as a control signal between a first

and second node (col. 1, lines 53-67, col. 2, lines 1-20 and fig. 1), wherein control means are provided to ensure that sufficient delay occurs between the transmission start times of the control and data signals so that the control signal completely overlaps the data signal at the second node (col. 8, lines 49-67 and 10, 21, 24, fig. 1).

Suzuki et al. (US Patent No: 5,341,234) is cited to show a self routing network (I, 3, G, 5, 10, 11, fig. 1) using optical gate array driven by control voltages coincidental with packet header pulses (col. 1, lines 35-67).

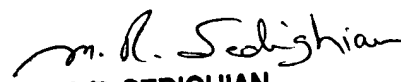
Fatehi et al. (US Patent No: 6,512,612) is cited to show an optical router (col. 1, lines 5-9, 35-52 and col. 5, lines 2-39) that is comprised of demultiplexer units (DMU<sub>1</sub>, DMU<sub>2</sub>, fig. 3A), a cross-connect switch (201, fig. 3A), wavelength converters (203, fig. 3A), multiplexer units (OMU<sub>1</sub>, OMU<sub>2</sub>, fig. 3A), and an optical controller unit (230, fig. 3A).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. R. Sedighian whose telephone number is (571) 272-3034. The examiner can normally be reached on M-F (from 9 AM to 5 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan can be reached on (571) 272-3022. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**M. R. SEDIGHIAN**  
**PRIMARY EXAMINER**